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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,056

03/31/2004

Maria Dalko

239466US0

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03/19/2008

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EXAMINER

BLAND, LAYLA D

ART UNIT

PAPER NUMBER

1623

NOTIFICATION DATE

DELIVERY MODE

03/19/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action

This office action is a response to Applicant's amendment and arguments after FINAL filed on February 29, 2008, 2008.

Applicant's proposed amended claims will not be entered. The amendment does not overcome the rejection over Wulff et al. Furthermore, the amendment raises new issues that would require further consideration because the scope of the amended claims is significantly different from the pending claim set and a claim to species has been added.

All rejections of record in the Final office action dated November 30, 2007 are maintained.

It is noted that, had it been entered, Applicant's proposed amendment submitted February 29, 2008, would have overcome the rejections under 35 USC 112, first paragraph.

Response to Arguments

Applicant's arguments filed February 29, 2008 have been fully considered but they are not persuasive.

Applicant argues that Wulff et al. neither teaches nor suggests the claimed compounds. and that the intermediate 13 is the intermediate in the reaction to prepare compound 14, not compound 11a. The skilled artisan would understand that the intermediates in preparation of compounds 11a-c are the corresponding deacetylated compounds. Wulff et al. state that 11a-c were acetylated in order to simplify characterization. This acetylation is step (iii) in Scheme 3, the last step. Before acetylation, the compounds clearly were not acetylated.

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Applicant argues that, in the teachings of Wulff et al., the intermediate 13 is the intermediate in the reaction to prepare compound 14, not compound 11a. Indeed, intermediate 13 is the intermediate in the reaction to prepare compound 14. Intermediate 13 was cited in order to further illustrate what the skilled artisan would know, that treatment of compound 5 or 7 with NaOH leaves the free hydroxy groups of the glycosyl moiety untouched.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAYLA BLAND whose telephone number is (571)272-9572. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anna Jiang can be reached on (571) 272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Layla Bland/
Examiner, Art Unit 1623

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